IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6572 OF 2004

Arun Baburao Mhatre .. Petitioner

Versus

The State of Maharashtra

and Ors. .. Respondents

Mr.G.J.Sabnis for petitioner

Mr.R.D.Rane, A.G.P. for State

Mr.Sushil Mahadeshwar for respondent Nos. 4 and 5

CORAM : A.P.SHAH AND

S.C.DHARMADHIKARI, JJ.

DATE : 4TH OCTOBER 2004.

P.C.

1. Heard Advocates.

2. There are two prayers in the petition. The first prayer is about not granting pension as

per the rules. On behalf of respondents, affidavit has been filed and it has been stated that the pension is finalised and the amount of pension is already released.

3. The second prayer is for appointing petitioner's son on compassionate ground. Under the relevant Government circular, appointment on compassionate ground is only in the case where the employee has died while in service or where he has been made to retire on medical grounds. In the instant case, petitioner has taken voluntary retirement after giving three months' notice, therefore, the circular is not applicable. Petition is accordingly dismissed.

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